

IN THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

BRANNON J. WALKER,

Plaintiff,

v.

CHEROKEE INSURANCE
COMPANY, SATTERFIELD
LOGISTICS, INC., and
JAMES DELOZIER,

Defendants.

REMOVED FROM THE STATE
COURT OF RICHMOND
COUNTY, STATE OF GEORGIA
CIVIL ACTION FILE NO.
2019RCSC01214

CIVIL ACTION FILE NO.:

NOTICE OF REMOVAL

COMES NOW Satterfield Logistics, Inc. and James Delozier, Defendants in the above-styled action, by and through undersigned counsel, and pursuant to 28 U.S.C. § 1446, hereby jointly remove the action now pending in the State Court of Richmond County, State of Georgia, Civil Action No. 2019RCSC01214 styled as BRANNON J. WALKER v. CHEROKEE INSURANCE COMPANY, SATTERFIELD LOGISTICS, INC. and JAMES DELOZIER, and respectfully show this Honorable Court as follows:

1. A civil action was filed by the above-named Plaintiff in the State Court of Richmond County, Georgia, naming the above Defendants, being Civil Action File Number 2019RCSC01214. A copy of all pleadings served on Defendants Satterfield

Logistics and James Delozier, including Summons and Complaint, are attached collectively hereto as Exhibit "A."

2. In the above-styled civil action, Plaintiff is seeking damages arising out of a motor vehicle accident allegedly caused by the negligence of Defendants; including personal injuries; past, present, and future pain and suffering; past, present, and future medical expenses, likely exceeding \$30,000.00; economic losses; incidental expenses; loss of earning capacity; permanent injuries; and consequential damages. (Complaint ¶ 36).

3. Based upon the allegations in Plaintiff's Complaint, Defendants in good faith aver that the amount in controversy exceeds \$75,000, exclusive of interest, costs, and attorney's fees.

4. At all times material to this action, Plaintiff has been a citizen of the State of Georgia. (Complaint ¶ 1).

5. At all times material to this action, Defendant Cherokee Insurance Company has been incorporated in and maintained its principal office in the State of Michigan.

6. At all times material to this action, Defendant Satterfield Logistics, Inc. has been incorporated in and maintained its principal office in the State of Tennessee.

7. At all times material to this action, Defendant James Delozier has been a citizen of the State of Tennessee.

8. Accordingly, under the allegations in Plaintiff's Complaint, there is complete diversity of citizenship between Plaintiff and the Defendants, jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332 and this action is removable pursuant to 28 U.S.C. §§ 1332, 1441.

9. Defendant Cherokee Insurance Company has given its express consent to the removal of this case.

10. This action was commenced in the State Court of Richmond County, Georgia. Defendants Satterfield Logistics, Inc. and James Delozier learned of Plaintiff's Complaint on January 2, 2020, the day service of process was effected on Delozier.

11. Pursuant to 28 U.S.C. §1446(d), Defendant has provided written notice to all adverse parties and has filed a copy of this Notice of Removal with the Clerk of the State Court of Richmond County, Georgia. (A copy of the Notice of Filing Notice of Removal filed with the Gwinnett County clerk and provided to opposing counsel is attached hereto as Exhibit "B").

WHEREFORE, Defendants Satterfield Logistics, Inc. and James Delozier. respectfully submit this matter to this Court's jurisdiction and remove this matter to this Court.

Respectfully submitted, this 31st day of January, 2020.

**WILSON, ELSER, MOSKOWITZ
EDELMAN AND DICKER, LLP**

3348 Peachtree Road N.E.,
Suite 1400
Atlanta, Georgia 30326
Phone: (470) 419-6650
Facsimile: (470) 419-6651
jeffrey.melcher@wilsonelser.com
devin.arnold@wilsonelser.com

/s/ Jeffrey W. Melcher

Jeffrey W. Melcher
Georgia Bar No. 501180

*Attorney for Defendants Cherokee
Insurance Company, Satterfield
Logistics, Inc. and James Delozier*

CERTIFICATE OF SERVICE

This is to certify that I have this 31st day of January, 2020, caused the within and foregoing *Notice of Removal* to be served upon all counsel of record by US Mail with adequate postage affixed and by using the E-File CM/ECF electronic filing system which will automatically send e-mail notification of such filing to the following:

Michael P. Walker
Piasta Newbern Walker, LLC
3301 Windy Ridge Parkway
Suite 110
Atlanta, Georgia 30339
mike@pnwlaw.com

Attorney for Plaintiff

Joseph A. Maniscalco, Jr.
Maniscalco Law, P.C.
4651 Roswell Road NE
Suite B103
Atlanta, Georgia 30342
jam@lawjamjr.com

Attorney for Plaintiff

/s/ Jeffrey W. Melcher
Jeffrey W. Melcher